

3618

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/455,736	
	Filing Date	March 18, 2004	
	First Named Inventor	Joseph Richey	
	Art Unit	3618	
	Examiner Name	To Be Determined	
Total Number of Pages in This Submission	4	Attorney Docket Number	12873/04782

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks Return receipt postcard Form PTO/SB/08A (one page)		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Courtney J. Miller Reg. No. 45,366
Signature	
Date	November 10, 2004

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Janet L. Norris		
Signature		Date	November 10, 2004

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PATENT
Customer No. 24024
Attorney Docket No. 12873/04782

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Richey *et al.*) Group Art Unit: 3618
)
Application No.: 10/803,613) Examiner: To Be Determined
)
Filed: March 18, 2004) Attorney Docket No.: 12873/04782
)
For: **Portable Mid-Wheel Drive Scooter**)

Mail Stop Amendment
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 CFR §§ 1.56 and 1.97(b), the Applicant brings to the attention of the Examiner the documents listed on the attached PTO/SB/08A. This Information Disclosure Statement is being filed before the receipt of a First Office Action; therefore, under the provisions of 37 C.F.R. § 1.97(b), no fee is due.

Copies of the listed documents are not enclosed herein, as they were previously submitted in a prior application, Application No. 10/455,736, filed June 5, 2003, upon which the Applicant relies for the benefits provided in 35 U.S.C. § 120. The Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicant determines that the cited documents do not constitute

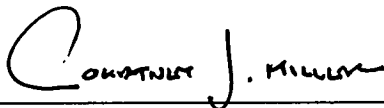
“prior art” under United States law, the Applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

The Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

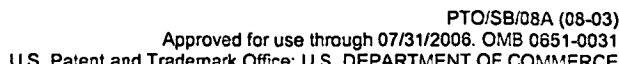
If there is any fee due in connection with the filing of this Statement, please charge the fee to deposit account number 03-0172 (Calfee, Halter & Griswold LLP).

Respectfully submitted,

Date: 11 | 10 | 2004



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Substitute for form 1449/PTO

Complete if known

(Use as many sheets as necessary)

Sheet

1

of

1

Application Number

10/455.736

Filing Date

March 18, 2004

First Named Inventor

Joseph Richey

Art Unit

3618

Examiner's Name

To Be Determined

Attorney Docket Number

12873/04782

U.S. PATENT DOCUMENTS

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indicate of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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